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To: Microsoft ATR
Date: 1/28/02 12:54pm
Subject: Microsoft Settlement

Which of Microsoft's competitors has even expressed an interest in undertaking the gargantuan task that is writing a desktop operating system that could compete with Windows XP? I think we must discount the tiny startups like Be, Inc. since they are no more positioned to compete with Microsoft anymore than Tucker or Rosen Motors was positioned to compete with GM. Both had superior, innovative products but were just not realistically positioned to compete with GM. Face it, there is just as much barrier to entry into any major market as there is into desktop operating systems if you are not already a megacorp.

I think the whole scope of the "market" that Microsoft has been found to be monopolizing has been carefully crafted to make them the the only player. That scope makes Intel a monopolist in that market too and by the same token Apple a monopolist in the Motorola-based PC market. Look at some of the dirty tricks Intel has pulled vs. AMD and how Apple displayed undeniable market control in the Motorola-based PC market -- it allowed Mac clone vendors to exist and then immediately when Jobs came on board, it canceled all their licenses and put them all out of business.

To me, the market is for "personal computing devices" not just Intel-based PCs. It should have included Apple and Palm as well. For this reason I think the case has been fundamentally flawed from the start and I think it's whole reason for being is too. I don't think there would be a case if it weren't for competitors in other markets (Oracle, AOL, SUN) where Microsoft cannot remotely be considered a monopoly (more like a struggling underdog!) playing protectionist politics. Not one of those companies has ever made even the slightest indication of intent to create a full-featured desktop operating system for Intel-based personal computers.

Their only intent in their friend of the court activity is to get back at Microsoft for competing with THEM in their near-monopoly franchises. If you look at it from that perspective then they are even more anti-competitive than Microsoft and certainly more opportunistic.

The bottom line:

Settle this. It was never in the public interest. You've already spent too much of my tax dollars playing marionette for billion dollar Microsoft competitors.

Mike Byrns

